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CERTIFICATION OF HAND-DELIVERY

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Attorney Docket No. P30835DIV2C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pathak et al.

May 8, 2002

Serial No.: 10/044,848

Group Art Unit No.: 1615

Filed: January 11, 2002

Examiner: A. Pulliam

For: FORMULATIONS, TABLETS OF PAROXETINE AND PROCESS TO PREPARE THEM

TERMINAL DISCLAIMER UNDER 37 CFR §1.321(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Your Petitioner, SmithKline Beecham plc, a corporation organized under the laws of England and having its principal place of business at Three New Horizons Court, Brentford, Middlesex, England, represents that it is the assignee as recorded on November 19, 1999, Reel 010434, Frame 0045 (3 pages) of application Serial Number 08/676,331, filed on June 12, 1996 for "Paroxetine Tablets and Process to Prepare Them", now United States Patent No. 6,113,944.

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Serial No.: 10/044,848
Group Art Unit No.: 1615

Your Petitioner, SmithKline Beecham plc, hereby disclaims except as provided below the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154 and §156 of United States Patent No. 6,113,944, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,113,944. This agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term defined in 35 USC §154 of United States Patent No. 6,113,944 in the event that United States Patent No. 6,113,944 is abandoned, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 USC §154 prior to the expiration of its full statutory term, except for the separation of legal title stated above. This disclaimer shall not be effective against any patent term extensions obtained under 35 USC §156 for any patent granted on the above-identified application.

Please charge the \$130.00 fee required by this Petition under 37 CFR §1.20(d) to Deposit Account Number 19-2570.

Serial No.: 10/044,848
Group Art Unit No.: 1615

Also should the Commissioner determine that said fee is not sufficient to have the petition entered, the Commissioner is hereby authorized to charge any such fee that may be required by this petition or to credit any over payment to said deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wayne J. Dustman", with a long horizontal flourish extending to the right.

Wayne J. Dustman
Attorney for Applicants
Registration No. 33,870

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